REMARKS/ARGUMENTS

Claims 1-37 are pending in this application.

1. Rejection of Claim 24 under 35 U.S.C. 112, Second Paragraph

Claim 24 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner indicates that claim 24 is dependent from claim 21, that claim 24 discloses a media buyer, and that there is insufficient antecedent basis for this limitation in the claim. (Underlining originally provided in Official Action by the Examiner.)

Applicants have now amended claim 24 to positively recite "a media buyer providing at least a portion of the set of advertisements" so as to provide a more proper antecedent basis for the claimed system in which the identifier information from the syndication network is further delivered to the media buyer. Accordingly, claim 24 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

2. Rejection of Claims 1-4, 8-12, 14-21 and 32-34 under 35 U.S.C. 102(e)

Claims 1-4, 8-12, 14-21 and 32-34 stand rejected under 35 U.S.C. 102(e) as being anticipated by Gever et al. (U.S. Patent No. 6,313,835; hereinafter "Gever").

Applicants have now amended claim 1. Claim 1 comprises an Internet advertising system comprising a multimedia presentation comprising at least one component selected from a group consisting of computer generated animation and full-motion video, a given item within the selected component of the multimedia presentation represented by an embedded placeholder, the

embedded placeholder programmed to follow a series of actions of the given item within the multimedia presentation; a set of advertisements corresponding to the embedded placeholder, each advertisement being indexed by at least one demographic indicator; identifier means for identifying at least one demographic characteristic of a user, wherein the at least one demographic characteristic of the user corresponds to one of the at least one demographic indicator; selector means for selecting a relevant advertisement from the set of advertisements, the selector means configured to receive the at least one demographic characteristic of the user from the identifier means, and the selector means including a comparison of the user's at least one demographic characteristic with the at least one demographic indicator of each advertisement to select the relevant advertisement for the user; inserter means for inserting the relevant advertisement into the embedded placeholder of the multimedia presentation, the inserter means configured to receive the relevant advertisement from the selector means so as to create a seamless advertisement programmed to dynamically follow the series of actions of the given item integrated within the multimedia presentation and targeted to the user's demographic characteristics; and delivery means for delivering the multimedia presentation to the user.

Applicants believe that Gever discloses a system for creating web page components in which a web page designer is the selector and inserter to create scenes with chosen characteristics. Applicants believe that the condition editor interface used by the web page designer indicates the scenes or frames for specific conditions on which the animation sequence is to branch. The scenes and frames are pre-created by the web page designer and the condition editor of FIG. 6 is then used to determine which of various ones of the pluralities of Web page components are to be presented under different predetermined conditions. Accordingly, it is believed that Gever discloses a system in which the attributes are selected, inserted, and saved as frames or scenes by the web page designer, and chosen ones of the frames or scenes are subsequently selected for display in an animation sequence based on predetermined conditions.

See, for example, Gever at column 14, lines 10-17:

"FIG. 6 is a schematic illustration of a condition editor interface 140, in accordance with a preferred embodiment of the present invention. Condition editor interface 140 preferably comprises a selection window 150, which shows the condition being prepared, on which the animation sequence is to branch. Preferably, the condition comprises one or more clauses connected by conjunction and/or disjunction operations." (Underlining added)

It should be appreciated that Gever requires the scenes and frames to be created by a web designer at a client computer and then saved on a server prior to display to a web surfer. It is also envisioned that a significant amount of server storage capacity may be required for large animations in which several different scenes, with various characters or other attributes, may be selected for display to a user. Applicants believe that Gever may arguably be practical for relatively small website animations. However, Applicants believe that Gever does not disclose a system in which attributes, such as advertisements, are stored separately from a multimedia presentation. Futhermore, these selected advertisements are inserted into the multimedia presentation "on the fly" or as a user is experiencing the multimedia presentation. In this configuration, only the multimedia presentation with its placeholders and the advertisements need to be stored on a server. The present invention provides a much more practical and useful system than Gever, especially when the combinations of placeholders and advertisements is relatively large.

In addition, the final version of the multimedia presentation does not have to be created by a web designer each time the specific advertisements are changed. Accordingly, a database of advertisements may be changed without requiring a creation of additional scenes or frames of the multimedia presentation by a web designer. Applicants believe that Gever requires that a web designer pick the specific attributes and, at least once, create a frame or a scene based on

each one of the chosen attributes. The present invention does not require such manipulation by a web designer for each specific advertisement.

It should be appreciated that the present invention allows the selector to choose one or more advertisements based on the demographics of the user. As discussed above, the selection is made against individual ones of a group of advertisements, which can be modified, rather than from whole groups of frames or scenes that require extensive modification as attributes are changed.

Applicants believe the one advantage of the present invention is that embedded placeholders are filled in with actual graphics or video "on the fly", rather than a set of pre-generated complete Web page components, i.e., animations. The distinction is important when there are many of embedded placeholders because the number of possible combinations to produce a final animation grows exponentially. In short, present invention provides a scalable system. Applicants believe that Gever does not provide the scalable configuration of the present invention.

Applicants believe that Gever does not disclose (1) selector means for selecting relevant advertisement from the set of advertisements, the selector means configured to receive the at least one demographic characteristic of the user from the identifier means, and the selector means including a comparison of the user's at least one demographic characteristic with the at least one demographic indicator of each advertisement to select the relevant advertisement for the user, and (2) inserter means for inserting the relevant advertisement into the embedded placeholder of the multimedia presentation, the inserter means configured to receive the relevant advertisement from the selector means so as to create a seamless advertisement programmed to dynamically follow the series of actions of the given item integrated within the multimedia presentation and targeted to the user's demographic characteristics. Accordingly, claim 1 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

Claims 2-4, 8-12 and 14-21, which depend either directly or ultimately from independent claim 1, are believed to be in condition for allowance for at

least the above-identified reasons. Accordingly, allowance of claims 2-4, 8-12 and 14-21 is respectfully requested.

Applicants have now amended claim 32. Claim 32 comprises an Internet advertising system comprising a multimedia presentation comprising at least one component selected from a group consisting of computer generated animation and full-motion video, a given item within the selected component of the multimedia presentation represented by an embedded placeholder, and the embedded placeholder programmed to follow a series of actions of the given item within the selected component of the multimedia presentation; a set of advertisements corresponding to the embedded placeholder; identifier means for identifying a user; selector means for selecting a relevant advertisement from the set of advertisements, wherein the selector means select the relevant advertisement subsequent to the identification of the user by the identifier means; inserter means for inserting the relevant advertisement into the embedded placeholder of the multimedia presentation, the inserter means configured to receive the relevant advertisement from the selector means so as to create a seamless advertisement programmed to dynamically follow the series of actions of the given item integrated within the multimedia presentation; and delivery means for delivering the multimedia presentation to the user.

As discussed hereinabove, Applicants believe that Gever discloses a system in which the attributes are selected, inserted, and saved as frames or scenes by the web page designer, and chosen ones of the frames or scenes are subsequently selected for display in an animation sequence based on predetermined conditions. Applicants believe that Gever does not disclose (1) selector means for selecting a relevant advertisement from the set of advertisements, wherein the selector means select the relevant advertisement subsequent to the identification of the user by the identifier means and (2) inserter means for inserting the relevant advertisement into the embedded placeholder of the multimedia presentation, the inserter means configured to receive the relevant advertisement from the selector means so as to create a seamless advertisement programmed to dynamically follow the series of actions

of the given item integrated within the multimedia presentation. Accordingly, claim 32 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

Claims 33 and 34, which depend directly from independent claim 32, are believed to be in condition for allowance for at least the above-identified reasons. Accordingly, allowance of claims 33 and 34 is respectfully requested.

3. Rejection of Claims 5-7, 13, 22-26 and 37 under 35 U.S.C. 103(a)

Claims 5-7, 13, 22-26 and 37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gever.

As discussed hereinabove, Applicants have amended independent claim 1. Inasmuch as claims 5-7, 13 and 22-26 depend either directly or ultimately from independent claim 1, these claims are believed to be in condition for allowance. Accordingly, allowance of claims 5-7, 13 and 22-26 is respectfully requested.

Applicants have now amended claim 37. Claim 37 comprises an Internet advertising method comprising providing an original, Flash animation multimedia presentation comprising at least one component selected from a group consisting of computer generated animation and full-motion video, at least two given items within the selected component of the Flash animation multimedia presentation represented by at least two embedded placeholders, and the at least two embedded placeholders programmed to follow a series of actions of the at least two given items within the multimedia presentation; providing multiple sets of advertisements, each set of advertisements corresponding to one of each of the at least two embedded placeholders, and each advertisement being indexed by at least one demographic indicator; identifying cookies generated by an Internet browser of a user, wherein at least one demographic characteristic of the user is identified; selecting a relevant advertisement from the set of advertisements corresponding to the cookies generated by the Internet browser of the user, the

step of selecting the relevant advertisement including a comparison of the user's cookies with the at least one demographic indicator of each indexed advertisement to select the relevant advertisement for the user; inserting the selected advertisement into the embedded placeholder of the multimedia presentation using a Macromedia Generator computer program, the Generator computer program creating a seamless advertisement programmed to dynamically follow the series of actions of the at least two given items integrated within the multimedia presentation and targeted to the user's demographic characteristics, wherein the step of inserting the selected advertisement into the embedded placeholder of the multimedia presentation is subsequent to the steps of identifying cookies generated by the Internet browser of the user, and selecting the relevant advertisement from the set of advertisements corresponding to the cookies generated by the Internet browser of the user; providing a syndication network for delivering the multimedia presentation to the user over an Internet connection between a first server storing the multimedia presentation containing the embedded placeholder and a computer operated by the user; providing at least a portion of the set of advertisements through a media buyer, wherein the identifier information is delivered from the syndication network to the media buyer and the identifier information is also delivered from the syndication network to the selector means; charging a fee to the user for delivery of the multimedia presentation, the user fee being apportioned to a group comprising an owner of the multimedia presentation, an owner of the syndication network and an owner of the media buyer; charging the sponsor of the advertisement delivered in the multi-media presentation, wherein the sponsor's advertisement charge is apportioned to a group comprising an owner of the multimedia presentation, an owner of a media buyer providing the selected advertisement, and an owner of the delivery means for providing the multimedia presentation to the user; and a hyperlink in the advertisement contained in the multimedia presentation, wherein the hyperlink takes the user to an advertiser's website.

Applicants believe that Gever discloses a method for creating web page components in which a web page designer is the selector and inserter to create scenes with chosen characteristics. Applicants believe that attributes are selected, inserted, and saved as frames or scenes by the web page designer, and chosen ones of the frames or scenes are subsequently selected for display in an animation sequence based on predetermined conditions. Applicants believe that Gever does not teach or suggest the steps of (1) providing an original, Flash animation multimedia presentation comprising at least one component selected from a group consisting of computer generated animation and full-motion video, at least two given items within the selected component of the Flash animation multimedia presentation represented by at least two embedded placeholders, and the at least two embedded placeholders programmed to follow a series of actions of the at least two given items within the multimedia presentation; (2) providing multiple sets of advertisements, each set of advertisements corresponding to one of each of the at least two embedded placeholders, and each advertisement being indexed by at least one demographic indicator; (3) identifying cookies generated by an Internet browser of a user, wherein at least one demographic characteristic of the user is identified; (4) selecting a relevant advertisement from the set of advertisements corresponding to the cookies generated by the Internet browser of the user, the step of selecting the relevant advertisement including a comparison of the user's cookies with the at least one demographic indicator of each indexed advertisement to select the relevant advertisement for the user; and (5) inserting the selected advertisement into the embedded placeholder of the multimedia presentation using a Macromedia Generator computer program, the Generator computer program creating a seamless advertisement programmed to dynamically follow the series of actions of the at least two given items integrated within the multimedia presentation and targeted to the user's demographic characteristics, wherein the step of inserting the selected advertisement into the embedded placeholder of the multimedia presentation is subsequent to the steps of identifying cookies generated by the Internet browser of the user, and

selecting the relevant advertisement from the set of advertisements corresponding to the cookies generated by the Internet browser of the user. Accordingly, claim 37 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

4. Rejection of Claims 27-30, 31, 35, and 36 under 35 U.S.C. 103(a)

Claims 27-31, 35, and 36 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gever in view of Gupta et al. (U.S. Patent No. 6,487,538; hereinafter "Gupta").

With respect to claims 27-31, applicants have now amended independent claim 1.

As discussed above, Applicants believe that Gever discloses a system in which the attributes are selected, inserted, and saved as frames or scenes by the web page designer, and chosen ones of the frames or scenes are subsequently selected for display in an animation sequence based on predetermined conditions.

Applicants believe that Gupta discloses a method for Internet advertising in which a proxy server initiates local advertising by expressing interest in inserting its advertisement into a web server.

Neither Gever nor Gupta, either alone or in combination with one another, are believed to teach or suggest (1) selector means for selecting relevant advertisement from the set of advertisements, the selector means configured to receive the at least one demographic characteristic of the user from the identifier means, and the selector means including a comparison of the user's at least one demographic characteristic with the at least one demographic indicator of each advertisement to select the relevant advertisement for the user, and (2) inserter means for inserting the relevant advertisement into the embedded placeholder of the multimedia presentation, the inserter means configured to receive the relevant advertisement from the selector means so as to create a seamless

advertisement programmed to dynamically follow the series of actions of the given item integrated within the multimedia presentation and targeted to the user's demographic characteristics. Accordingly, claims 27-31, which depend either directly or ultimately from independent claim 1, are believed to be in condition for allowance, and allowance thereof is respectfully requested.

Applicants have now amended claim 35. Claim 35 comprises an Internet advertising system comprising an original, Flash animation multimedia presentation comprising at least one component selected from a group consisting of computer generated animation and full-motion video, a given item within the selected component of the Flash animation multimedia presentation represented by an embedded placeholder, and the embedded placeholder programmed to follow a series of actions of the given item within the multimedia presentation; multiple sets of advertisements, each set of advertisements corresponding to one of each of the at least two embedded placeholders, and each advertisement being indexed by at least one demographic indicator; cookies generated by an Internet browser of a user for identifying at least one demographic characteristic of the user; selector means for selecting a relevant advertisement from the set of advertisements, the selector means configured to receive the cookies generated by the Internet browser of the user, and the selector means including a comparison of the user's cookies with the at least one demographic indicator of each indexed advertisement to select the relevant advertisement for the user; a Macromedia Generator computer program for inserting the relevant advertisement into the embedded placeholder of the multimedia presentation, the Generator computer program creating a seamless advertisement programmed to dynamically follow the series of actions of the given item integrated within the multimedia presentation and targeted to the user's demographic characteristics; a syndication network for delivering the multimedia presentation to the user over an internet connection between a first server storing the multimedia presentation containing the embedded placeholder and a computer operated by the user; a media buyer providing at least a portion of the set of advertisements, wherein the identifier information is delivered from the syndication network to the media buyer

and the identifier information is also delivered from the syndication network to the selector means; a fee charged to the user for delivery of the multimedia presentation, the user fee being apportioned to a group comprising an owner of the multimedia presentation, an owner of the syndication network and an owner of the media buyer; an advertisement charge to the sponsor of the advertisement delivered in the multi-media presentation, wherein the sponsor's advertisement charge is apportioned to a group comprising an owner of the multimedia presentation, an owner of a media buyer providing the selected advertisement, and an owner of the delivery means for providing the multimedia presentation to the user; and a hyperlink in the advertisement contained in the multimedia presentation, wherein the hyperlink takes the user to an advertiser's website.

Applicants believe that Gever discloses a system in which the attributes are selected, inserted, and saved as frames or scenes by the web page designer, and chosen ones of the frames or scenes are subsequently selected for display in an animation sequence based on predetermined conditions.

Applicants believe that Gupta discloses a method for Internet advertising in which a proxy server initiates local advertising by expressing interest in inserting its advertisement into a web server.

Neither Gever nor Gupta, either alone or in combination with one another, are believed to teach or suggest an Internet advertisement system having selector means for selecting a relevant advertisement from the set of advertisements, the selector means configured to receive the cookies generated by the Internet browser of the user, and the selector means including a comparison of the user's cookies with the at least one demographic indicator of each indexed advertisement to select the relevant advertisement for the user; a Macromedia Generator computer program for inserting the relevant advertisement into the embedded placeholder of the multimedia presentation, the Generator computer program creating a seamless advertisement programmed to dynamically follow the series of actions of the given item integrated within the multimedia presentation and targeted to the user's demographic characteristics.

Accordingly, applicants believe that claim 35 is in condition for allowance, and allowance thereof is respectfully requested.

Applicants have now amended claim 36. Claim 36 comprises an Internet advertising method comprising providing a multimedia presentation comprising at least one component selected from a group consisting of computer generated animation and full-motion video, a given item within the selected component of the multimedia presentation represented by an embedded placeholder, and the embedded placeholder programmed to follow a series of actions of the given item within the multimedia presentation; providing a set of advertisements corresponding to the embedded placeholder, each advertisement being indexed by at least one demographic indicator; identifying at least one demographic characteristic of a user; selecting a relevant advertisement from the set of advertisements, the advertisement selection includes a comparison of the user's at least one demographic characteristic with at least one demographic indicator of each advertisement, wherein the relevant advertisement for the user is selected subsequent to the step of identifying the at least one demographic characteristic of the user; inserting the relevant advertisement into the embedded placeholder of the multimedia presentation, wherein a seamless advertisement programmed to dynamically follow the actions of the given item integrated within the multimedia presentation and targeted to the user's demographic characteristics is created; and delivery means for delivering the multimedia presentation to the user.

Applicants believe that Gever discloses a system in which the attributes are selected, inserted, and saved as frames or scenes by the web page designer, and chosen ones of the frames or scenes are subsequently selected for display in an animation sequence based on predetermined conditions.

Applicants believe that Gupta discloses a method for Internet advertising in which a proxy server initiates local advertising by expressing interest in inserting its advertisement into a web server.

Neither Gever nor Gupta, either alone or in combination with one another, are believed to teach or suggest an Internet advertisement method including the

steps of (1) identifying at least one demographic characteristic of a user; (2) selecting a relevant advertisement from the set of advertisements, the advertisement selection includes a comparison of the user's at least one demographic characteristic with at least one demographic indicator of each advertisement, wherein the relevant advertisement for the user is selected subsequent to the step of identifying the at least one demographic characteristic of the user; and (3) inserting the relevant advertisement into the embedded placeholder of the multimedia presentation, wherein a seamless advertisement programmed to dynamically follow the actions of the given item integrated within the multimedia presentation and targeted to the user's demographic characteristics is created. Accordingly, applicants believe that claim 36 is in condition for allowance, and allowance thereof is respectfully requested.

Conclusion

In light of the amendments and remarks provided herein, applicants respectfully request the timely issuance of a Notice of Allowance.

Respectfully submitted,
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